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PATENT
ATTORNEY DOCKET NO.: 80168-0106
CLIENT MATTER NO.: P5090

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Mark A. KAMPE)
Application No.: 09/850,183) Art Unit: 2123
Filing Date: May 7, 2001) Examiner: UNASSIGNED
For: A MEANS FOR INCORPORATING SOFTWARE)
INTO AVAILABILITY MODELS)

ATTN: BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

This is in response to the Notice to Filing Missing Parts, dated July 2, 2001, in the above-identified application.

1. Combined Declarations and Power of Attorney
 Enclosed
This application was filed without an executed Declaration and Power of Attorney.
2. Assignment
 An assignment of the invention to **SUN MICROSYSTEMS, INC.** and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.
 An assignment will be filed at a later date.

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee
				Utility \$710.00 Design \$310.00
Total Claims (37 C.F.R. §1.16(c))	19 - 20 =	0	\$ 18.00 each=	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	6 - 3 =	3	\$ 80.00 each=	+\$ 240.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 260.00	+
SUB-TOTAL =				\$ 950.00
Surcharge under 37 C.F.R. § 1.16(e)			\$ 130.00	\$ 130.00
Reduction by 1/2 for filing by a small entity				- \$
TOTAL FILING FEE =				\$ 1,080.00

4. Fee Payment

Enclosed. A check in the amount of \$1,080.00 is enclosed for the filing fee and the \$130.00 surcharge as set forth in 37 C.F.R. 1.16(e).

If an Assignment is being filed as noted in paragraph 2 above, a separate check in the amount of \$40.00 is enclosed.

Authorization is given to charge \$ to Deposit Account 50-1349 for the fees due as specified above.

5. **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3)

6. Other

- Information Disclosure Statement
- PTO-1449, __ documents as listed
- Preliminary Amendment
- Claim for Priority
- Certified copy of Priority Document
- Substitute Drawings in compliance with 37 C.F.R. 1.84.**

If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

Respectfully submitted,

HOGAN & HARTSON LLP

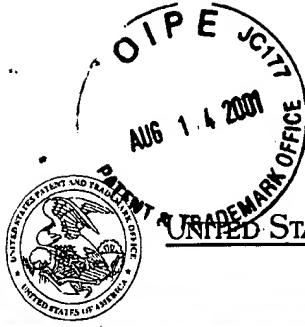
Dated: August 14, 2001

By: 

William F. Nixon

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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/850,183	05/07/2001	Mark A. Kampe	80168-0106

CONFIRMATION NO. 9753

24633
HOGAN & HARTSON LLP
IP GROUP, COLUMBIA SQUARE
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WASHINGTON, DC 20004

HOGAN & HARTSON L.L.P.

JUL 05 2001

IP DOCKETING DEPT.

FORMALITIES LETTER

OC000000006250710

Date Mailed: 07/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$240.
 - \$240 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1080.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/16/2001 MBERHE 00000075 09850183

710.00 OP
01 FC:101 130.00 OP
02 FC:105 240.00 OP
03 FC:102